

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JASON DYE,

Plaintiff,

v.

Case No. 25-cv-11951
Honorable Linda V. Parker

CITY OF FLINT, ET AL.,

Defendants.

/

**OPINION AND ORDER DISMISSING FLINT POLICE DEPARTMENT
AND REQUIRING PLAINTIFF TO FILE A SECOND AMENDED
COMPLAINT**

On June 27, 2025, Plaintiff filed this lawsuit against Defendants. (ECF No.

1.) The Court thereafter required Plaintiff to file an amended pleading to satisfy Federal Rule of Civil Procedure Rule 8. (ECF No. 5.) In that decision, the Court identified specific deficiencies in Plaintiff's Complaint, including that he failed to allege facts to establish the personal involvement of certain defendants and municipal liability and to support certain claimed constitutional and statutory violations. Plaintiff filed an Amended Complaint on July 30, 2025. (ECF No. 7.)

Plaintiff's Amended Complaint cures some of the deficiencies from his earlier filing, however, he continues to name the Flint Police Department as a defendant. As indicated in the Court's earlier decision, this is not an entity capable of being sued under 42 U.S.C. § 1983—the vehicle for bringing a claim for the

alleged constitutional violations. *See Shorter v. Giles Cnty. Police Dep’t*, 73 F. App’x 780, 781 (6th Cir. 2003) (citing *Matthews v. Jones*, 35 F.3d 1046, 1049 (6th Cir. 1994)); *Jones v. Pigeon Forge, Tenn. Police Dep’t*, No. 24-5485, 2024 WL 5697437, at *1 (6th Cir. Nov. 19, 2024) (citing *Matthews*, 35 F.3d at 1049). The Court is therefore sua sponte dismissing Plaintiff’s claims against this defendant pursuant to 28 U.S.C. § 1915(e)(2).

Further, Plaintiff attempts to incorporate by reference his initial allegations, identifying as his “Claims for Relief” “Counts I-VII, as previously drafted” and his “Demand for Relief” as “All items A-F, previously drafted.” However, in his initial Complaint, Plaintiff did not identify his claims or demands for relief by numbers or paragraphs. Thus, it is unclear what claims he continues to pursue and the specific relief being sought. As pointed out in the Court’s earlier decision, Plaintiff fails to allege facts to support the claimed violations of certain constitutional amendments and others are not justiciable.

In short,

IT IS ORDERED that Plaintiff’s claims against the Flint Police Department are sua sponte **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2) and this party is **TERMINATED** from this action.

IT IS FURTHER ORDERED that Plaintiff shall file a Second Amended Complaint within fourteen (14) days that specifically sets forth his claims, his demands for relief, and facts in support.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: August 5, 2025

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, August 5, 2025, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan
Case Manager